

CITY OF READING
BERKS COUNTY, PENNSYLVANIA

ORDINANCE No. 4-2010

AN AMENDATORY ORDINANCE OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, AMENDING ORDINANCE No. 41-2005, WHICH, IN PART, AUTHORIZED THE RE-ESTABLISHMENT OF THE READING DOWNTOWN IMPROVEMENT DISTRICT AUTHORITY AND AUTHORIZED ASSESSMENTS OF BENEFITTED PROPERTY OWNERS TO AMEND SECTION 5 THEREOF, ENTITLED, "LEVY OF SPECIAL ASSESSMENT," SUBSECTION (b), ENTITLED "PAYMENT OF ASSESSMENT" TO CHANGE THE DEADLINE FOR THE DISCOUNT PERIOD TO APRIL 30 OF EACH YEAR; TO CHANGE THE DEADLINE FOR FLAT RATE PAYMENT TO JUNE 30 OF EACH YEAR; TO ASSESS A TEN PERCENT (10%) PENALTY FOR PAYMENT RECEIVED AFTER JULY 1 OF EACH YEAR; AND TO PROVIDE FOR UP TO FOUR (4) EQUAL INSTALLMENT PAYMENTS WITH A SERVICE FEE OF FIVE DOLLARS AND 00/100 (\$5.00) ADDED TO EACH PAYMENT.

WHEREAS, the Reading Downtown Improvement District Authority was re-established as a Neighborhood Improvement District Authority by the City Council of the City of Reading by the adoption of Ordinance No. 41-2005 on June 27, 2005;

WHEREAS, Section 5 of Ordinance No. 41-2005 authorized the levy of a special assessment for benefited properties located in the Reading Downtown Improvement District, and Section 5(b) of Ordinance No. 41-2005 set forth a timetable and deadlines for the payment of the aforesaid assessment; and,

WHEREAS, the Board of Directors of the Reading Downtown Improvement District Authority have recommended that the assessment be payable on similar terms and on a similar timetable as the real estate tax bills from the City of Reading in order to encourage and give incentives for prompt payment of the Downtown Improvement District Assessment.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Council of the City of Reading, Berks County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. Payment of DID Assessment. Section 5(b) of Ordinance No. 41-2005 is repealed, and shall be replaced as follows.

(b) Payment of Assessment. The owner or owners of any benefited properties shall be liable for the annual payment of the assessment upon receipt of the invoice for the same, as follows:

i. Payment of Full Amount of Assessment. Payment of the assessment, beginning with sums due on January 1, 2010, and each January 1 of each year thereafter, shall be due as follows:

- A. For payment in full received between January 1 and April 30 - a two percent (2%) discount of the amount of the assessment shall be permitted;
- B. For payment in full received between May 1 and June 30 - the flat rate of the assessment shall be paid; and,
- C. For payment in full received after July 1 - a penalty of ten percent (10%) of the amount of the assessment shall be added to the assessment amount due.

ii. Payment of Assessment in Installments. A property owner subject to the DID Assessment may, with the approval of the DID Board of Directors, pay the assessment in up to four (4) equal installments as follows:

- A. The first installment shall be paid no later than April 30 of the year in which it is due;
- B. The second installment shall be paid no later than June 30 of the year in which it is due;
- C. The third installment shall be paid no later than August 31 of the year in which it is due;
- D. The fourth installment shall be paid no later than October 31 of the year in which it is due;
- E. A service fee of Five Dollars and 00/100 (\$5.00) shall be added to each installment payment;

- F. In the event that a property owner defaults on an installment payment agreement by failure to pay an installment in full, failure to pay a service fee, or failure to timely make a payment, the property owner shall immediately owe the full amount of the assessment, plus a penalty amount of ten percent (10%) of the amount of the assessment;
- G. Installment agreements shall be for the flat rate of taxes owed, and no discount shall be available for property owners entering into an installment agreement;
- H. In the event that the installment agreement is entered into after the flat rate period, the amount used to calculate installment payments shall include the ten percent (10%) penalty.

SECTION 2. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be illegal, invalid, or unconstitutional, such illegality, invalidity, or unconstitutionality shall not affect or impair any of the remaining sentences, provisions, clauses, sections, or parts of this Ordinance. It is hereby declared to be the intent of the City Council of the City of Reading that this Ordinance would have been adopted had such illegal, invalid, or unconstitutional sentence, clause, section, or part of this Ordinance had not been included therein.

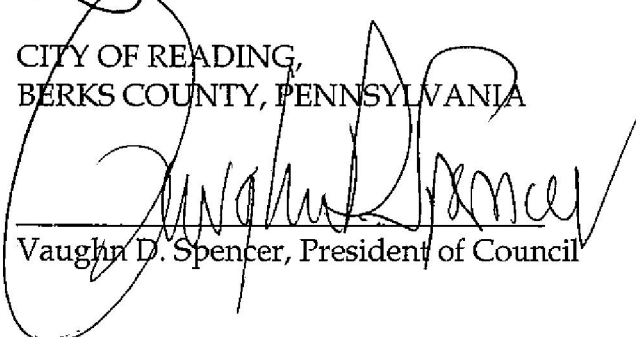
SECTION 3. Repealer. All ordinances, bills, or resolutions, or parts of ordinances, bills, or resolutions conflicting with the provisions of this amendatory Ordinance are hereby repealed insofar as they are inconsistent with this amendatory Ordinance.

SECTION 4. Remainder of Ordinance No. 41-2005 Stays in Full force and Effect. The remaining portions of Ordinance No. 41-2005 not repealed by this Ordinance shall remain in full force and effect.


SECTION 5. Effective Date. The within Ordinance shall take effect immediately upon adoption and approval by the Mayor.

DULY ENACTED AND ORDAINED by the City Council of the City of Reading,
Berks County, Pennsylvania this 8 day of Jul, 2010.


CITY OF READING,
BERKS COUNTY, PENNSYLVANIA


Vaughn D. Spencer, President of Council

Attest:

 (SEAL)
Linda Kelleher, City Clerk


I, LINDA A. KELLEHER, City Clerk of the City
of Reading, Pa., do hereby certify, that the fore-
going is a true and correct copy of the original
..... passed by the Council of the City of
Reading, on the 8 day of Jul
A. D. 20 10..... Witness my hand and seal of the
said City this 16 day of Jul A. D. 20 10..

Submitted to Mayor: 

Date: 2-9-10

Received by the Mayor's Office: _____

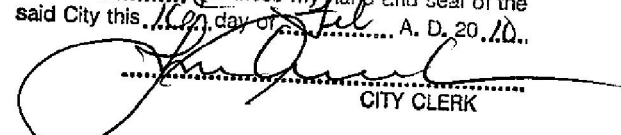
Date: _____

Approved by Mayor: 

Date: 2/12/10

Vetoed by Mayor: _____

Date: _____


CITY CLERK